



New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	120A	Dispute Resolution	12/9/2008
Subchapter:	4	Administrative Hearings	
Section	1	General provisions (N.J.A.C. 10:120A-4.1)	

§10:120A-4.1 General provisions

(a) A request for an administrative hearing shall be made in accordance with N.J.A.C. 10:120A-2.5.

(b) The written request for an administrative hearing shall be specific as to the exact nature of the Division action in dispute. The Division representative shall help the appellant express his or her request, as necessary.

(c) Upon receipt of a request for an administrative hearing, the Administrative Hearings Unit may request information from the appellant in order to make a determination as to whether material facts are in dispute. When such information is received, the Administrative Hearings Unit shall make a record thereof and determine whether the appellant is entitled to an administrative hearing in accordance with N.J.A.C. 10:120A-4.3.

(d) If the appellant is eligible for an administrative hearing, the AHU shall transmit the case to the OAL for an administrative hearing in accordance with N.J.A.C. 1:1-4.1 and 8.1.

(e) If the appellant is not eligible for an administrative hearing for reasons other than the absence of material disputed facts, the AHU shall notify the appellant of this determination within 10 business days of making the determination, as well as provide the appellant with information concerning other appeal avenues which may be available.